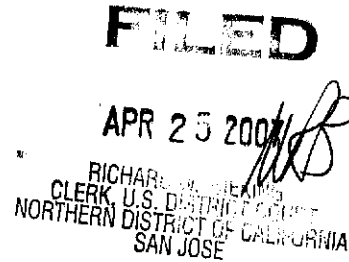


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Counsel for Defendant PORTER



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-07-70081 PVT
	)	
Plaintiff,	)	STIPULATION, WAIVER AND
	)	[PROPOSED] ORDER CONTINUING
vs.	)	PRELIMINARY HEARING AND
	)	EXCLUDING TIME FOR INDICTMENT
JOKAELE PORTER,	)	
	)	
Defendant.	)	

STIPULATION AND WAIVER

The parties hereby stipulate and agree that the date currently set for preliminary hearing and/or arraignment may be continued for three weeks from April 26, 2007 to May 17, 2007 at 9:30 a.m. Mr. Porter, by his signature below, further consents to extend by three weeks the time for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose of the requested continuance is to permit the defense to continue its investigation into the circumstances of the alleged offense and to facilitate the parties' efforts to reach a pre-indictment resolution. The parties further agree that the intervening three weeks may be excluded from the time within which an indictment shall be filed, as the reasonable time necessary for effective defense preparation under 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

1 Dated: April 23, 2007

2 s/  
3 CYNTHIA C. LIE  
Assistant Federal Public Defender

4 Dated: April 23, 2007

5 s/  
6 JOKAELE PORTER  
Defendant

7 Dated: April 24, 2007

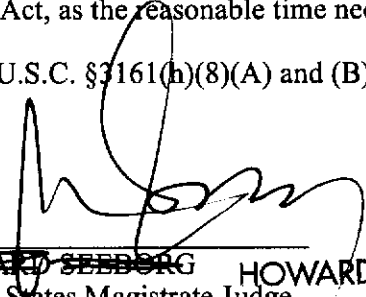
8 s/  
9 THOMAS M. O'CONNELL  
Assistant United States Attorney

10 **[PROPOSED] ORDER**

11 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date  
12 set for preliminary hearing and/or arraignment in the above-captioned matter shall be continued  
13 from Thursday, April 26, 2007 to Thursday, May 17, 2007 at 9:30 a.m.

14 It is further ordered that 21 days shall be excluded from the time within which an  
15 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for  
16 effective preparation of counsel, pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

17  
18 Dated: April 15, 2007

19   
20 ~~RICHARD SEEDBORG~~ HOWARD R. LLOYD  
United States Magistrate Judge